

**REMARKS**

Claims 1-25 are pending. By this amendment, claims 1, 15, and 16 are amended. Support for the amendments can be found at least on page 11 of the specification. No new matter is introduced. Reconsideration and issuance of a Notice of Allowance are respectfully requested.

**35 U.S.C. § 102 Rejections**

On page 2 the Office Action rejects claims 1-6, 12-16, 21-24 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,657,445 to Pearce (hereafter Pearce). This rejection is respectively traversed.

Pearce is directed to a method and system for protecting *portions* of a mass storage media from undesired tampering. At least one region of the mass storage device is designated as a *protected region*, i.e., critical area. Pearce's system traps a mass storage device input/output (I/O) operation, determines if the trapped operation is a *write* operation, determines if the write operation is directed to the *protected region* of the mass storage device, and controls execution of the *write* operation directed to the *protected region*. See Pearce column 6, line 62 to column 8, line 3. However, if the trapped mass storage device I/O operation is *not* a *write* operation or is *not* directed to the *protected region* of the mass storage device, Pearce's system does not control the execution of the trapped operation. See Pearce, column 6, line 64 to column 7, line 1 and column 7, lines 16-20. Therefore, Pearce's system only controls and prevents a *write* operation, not a *read* operation. Further, Pearce's system only controls and prevents a write operation directed to the *protected region*, not *all portions* of the storage medium.

To the contrary, claim 1 has been amended to more precisely recite the novel features of the present application and recites: "the uninterruptible software routine having code for determining whether the first software is authorized to access all portions of the non-volatile storage medium and for allowing or preventing any read operation on the non-volatile storage medium according to the determination." As noted above, Pearce does not disclose or suggest these features. Therefore, amended claim 1 is patentable.

Amended claims 15 and 16 recite features similar to those of claim 1, and for this reason, claims 15 and 16 also are patentable.

Claims 2-6 and 12-14 depend from patentable claim 1; and claims 21-24 depend from patentable claim 16. For these reasons and the additional features they recite, claims 2-6, 12-14, and 21-24 also are patentable. Withdrawal of the rejection of claims 1-6, 12-16, 21-24 under 35 U.S.C. §102(b) is respectfully requested.

### 35 U.S.C. § 103 Rejections

On page 6 the Office Action rejects claims 7-11, 17-20 and 25 under 35 U.S.C. §103(a) over Pearce in view of U.S. Patent 6,249,872 to Wildgrube, et al. (hereafter Wildgrube). This rejection is respectively traversed.

Wildgrube is directed to a system and method for protecting a on-volatile storage element of an electronic system from an unauthorized *write* access. However, Wildgrube does not cure Pearce's defect and does not disclose or suggest determining whether the software is authorized to access all portions of the non-volatile storage medium and allowing or preventing any read operation on the non-volatile storage medium. Therefore, amended claims 1 and 16 are patentable over Pearce and Wildgrube.

Claims 7-11 depend from patentable claim 1; and claims 17-20, and 25 depend from patentable claim 16. For these reasons and the additional features they recite, claims 7-11 and 17-20 also are patentable. Withdrawal of the rejection of claims 7-11 17-20, and 25 under 35 U.S.C. §103(a) is respectfully requested.

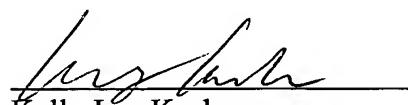
### Conclusion

In view of the above remarks, Applicant respectfully submits that the application is in condition for allowance. Prompt examination and allowance are respectfully requested.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

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